

## TRIAL OF HOOSERS

D. V. MILLER AND J. M. JOHNS AR-  
RAIGNED AT CINCINNATI.

Accused of Postal Conspiracy in Re-  
ceiving a Bribe from J. J. Ryan,  
a "Turf Investor."

CHARGE IS DENIED BY BOTH

ABSOLUTE IGNORANCE OF THE MAT-  
TER CLAIMED BY MILLER.

While Johns Says He Merely Acted as  
an Attorney in Securing a De-  
cision for a Client.

FOUR WITNESSES EXAMINED

TELEGRAMS PRODUCED BY A ROCK-  
VILLE, IND., OPERATOR.

Statement Made by J. J. Ryan, on  
Which Judgments Were Based,  
Retorted Yesterday.

CINCINNATI, Oct. 12.—The first trial under about two dozen indictments against postal officials, secured in different parts of the country by the government recently, was begun here to-day. The defendants are Daniel Voorhees Miller, of Terre Haute, Ind., formerly assistant attorney general in the office of the attorney general for the Postoffice Department at Washington, and his friend, Joseph M. Johns, an attorney at Rockville, Ind. The government charged a conspiracy between these defendants for the purpose of obtaining money from John J. Ryan, a turf commissioner, with offices in Cincinnati and St. Louis, for protecting him from postoffice officials in the use of the mails for his clients.

Miller claims absolute ignorance of any transaction that may have occurred between Ryan and Johns. Johns claims that he made an ordinary contract with Ryan as attorney to assist in securing a decision from the postal department after presentation of the case. Both defendants emphatically deny any understanding between themselves or with Ryan or any conspiracy. The most eminent counsel are engaged on both sides. Miller and Johns are old friends, having lived in adjoining counties in Indiana for years, where both have been prominent politically, professionally and otherwise. While District Attorney Sherman McPherson and his assistants, Moulton and Darby, have been working on the case for some time, they were assisted to-day by Charles H. Robb, assistant attorney general for the Postal Department at Washington, D. C., Cochran, chief of postoffice inspectors, inspectors Vickers and Fulton, who arrested Miller and Johns.

YESTERDAY'S WITNESSES.

The defendants were indicted jointly on six counts of conspiracy to obtain a bribe from John J. Ryan & Co., of Cincinnati and St. Louis. The government has called a dozen witnesses and the defense three times that many, so that it is not expected that arguments will be reached until the latter part of the week. The witnesses to-day were Richard M. Webster, a clerk in the legal department of the Postmaster General at Washington, J. M. Morrow, telegraph operator at Rockville, Ind., and John J. Ryan, the latter being on the stand when court adjourned. As Ryan's direct examination has not been completed, it is thought that most of the time to-morrow will be taken up with his testimony regarding his transactions with postal officials in Washington and later with Johns as the alleged middleman in meetings in Terre Haute, Cincinnati and St. Louis.

J. J. Ryan testified in the preliminary hearings that he had been appointed as the Gibson Hotel in this city and paid him the money, and the district attorney holds checks for \$2,000, \$2,000, respectively, from Ryan endorsed by Johns. Ryan claims that afterwards the defendants insisted on continuing the case for "protection," when he laid the whole matter before postoffice inspectors.

Mr. Robb, assistant attorney general for the Postoffice Department, and several inspectors are here from Washington looking after the case, but the most direct examination of the case is in the hands of District Attorney McPherson and Assistant Attorneys Moulton and Darby, while Miller is represented by Russell H. Hints, of Cincinnati, and Hints & Cavens, of Terre Haute. Johns is represented by W. W. Baker and E. M. Ballard, of Cincinnati, and Prueck & McFadden and Howard Maxwell, of Rockville.

The forenoon was spent in qualifying jurors, after which statements were made for the government by Moulton, for Miller by Russell and for Johns by Baker. The families of the defendants and many friends from Indiana were present in court. The statements of attorneys for the defendants were severe on Ryan. Russell claimed that his client, Miller, knew nothing about the transactions. Baker said that on Ryan's own confession the \$2,000 was paid by him for a decision from the judge who decided what was to be placed on the "fraud list."

WESTER'S TESTIMONY.

The first witness was George Webster, a clerk in the legal department under the postmaster general at Washington, who produced the books in which were recorded the decisions and all other actions taken in the case of J. J. Ryan's concern, and stated that the Ryan concern had been put on what was officially termed "the fraud list." Webster identified many papers that postal inspectors had secured and that were admitted as evidence.

When court reconvened in the afternoon Webster was sharply cross-examined in reply to a question by Russell, he stated that he was in charge of what were known as lottery cases while Miller was in charge of fraud cases. Since then he had been engaged also on the latter. He testified that when it had been decided that cases were not put on the fraud list, such a decision by the assistant attorney general for the postoffice had been made. Only such cases as were passed upon by the fraud list were carried up to the postmaster general heretofore, but now the rule in the department was for favorable decisions as well as unfavorable decisions to be submitted to the postmaster general. It was understood that this change took place after the retirement of General T. W. Rullison, who questioned Webster at length as to the records brought from Washington, indicating that Miller had heard the Ryan case on Oct. 11 of last year, and that it was dismissed on the same day, holding that there could not have been a bribe thereat at Washington.

TELEGRAMS PRODUCED.

J. M. Morrow, telegraph operator at Rockville, Ind., testified at length regarding the work of the inspectors at Rockville and produced about two dozen copies of telegrams that passed between Johns and Ryan and one that passed between Johns and Miller. These telegrams were admitted as evidence.

John J. Ryan, the star witness of the government, was on the witness stand from 2 o'clock until court adjourned. He gave a history and an explanation of his co-operative investment company, telling how

he advertised in the papers and received answers with money by mail. Last November he was called on by postoffice inspectors and soon afterward received a notice from D. V. Miller, an assistant attorney of the postoffice, that his turf commission's operations were fraudulent. Later he had a hearing before Attorneys Christianity and Miller on Nov. 11 in Washington, where the whole matter was finally said to him. Ryan said he had been referred to Miller. At this meeting Ryan promised to reorganize his co-operative investment company so that his operations as turf commissioner would come within the requirements of the postal laws. He continued, however, to have trouble, and soon after his return from Washington he received a letter from Joseph M. Johns, in which the latter said he could be of service to him. After considerable correspondence by mail and wire they met in Terre Haute, where Ryan stated he registered under the name of Rose. Ryan described in detail how they mingled about the hotel in Terre Haute and finally retired from others to his room, where Johns opened the conversation about his troubles with the Postoffice Department. Ryan was proceeding to repeat the conversation that took place when the two were alone in a room before Johns interrupted him by making an objection from Rullison to witness testimony that Johns testified that Miller claimed to be close to Miller and able to advise Ryan what Miller had said or would be done in the pending case. Rullison objected to connecting Miller in a case, before any conspiracy had been established. After both sides argued the question of allowing Ryan to proceed with what Johns had stated, Miller had said regarding the case, court took the objection under advisement until to-morrow at 9 a. m.

## FACTIONS AGAIN AT WAR

SULLIVAN COUNTY DEMOCRATS ONCE  
MORE IN A TANGLE.

Rival Claims to the Auditorship Set  
the Party Leaders by the Ears—Ac-  
tion of the Commissioners.

Special to the Indianapolis Journal.

SULLIVAN, Ind., Oct. 12.—A factional fight that has been long under way in this county between Democratic officeholders and politicians that has already resulted in several disgraceful incidents has been rejuvenated by the County Commissioners in refusing to accept the bond of E. E. Russell, county auditor-elect.

After the Democratic primary last February, which resulted in certain politicians breaking into the ballot boxes, with many sensational incidents and allegations attending, some of the party managers decided to place a candidate for clerk on the ticket to be voted on at the fall election.

WILL NOT SUPPORT FUSION.

Greater New York Democracy Declines  
to Vote for McClellan.

NEW YORK, Oct. 12.—The Greater New York Democracy of Staten Island has decided to withdraw its support from the fusion ticket and endorse the regular Democratic nominees. The organization opposed Tammany two years ago and its members worked and voted for the fusion candidates. A fusion ratification meeting was held to-night in Cooper Union and a great throng of people gathered there to see and hear the candidates. Speeches were made by Mayor Lewis, District Attorney Jerome, Frederick W. Hinrichs, the candidate for controller, Mr. Sulzberger, Mr. Trautman and Walter H. Chandler. Mr. Jerome, who was received with great enthusiasm, said the low administration was the best this city had ever had and should be continued in power.

At a meeting of the German American Reform Union, held to-night at Terrace garden, Mayor Low was endorsed for reelection.

EN ROUTE TO PARIS.

King and Queen of Italy Crossed Into  
French Territory This Morning.

PARIS, Oct. 14.—Every precaution has been taken to secure the safety of the Italian sovereigns, who will arrive here this afternoon. Six hundred and thirty-five arrests have been made during the last few days of trains or automobiles, and all of whom will be detained in Paris.

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## CROWDS DOWN TOWN

THOUSANDS OF PEOPLE WATCH  
THE STEREOTYPES.

Newspaper Offices Surrounded by Peo-  
ple Anxious for the Elec-  
tion Returns.

THE ANXIETY WAS INTENSE

REPUBLICANS AND DEMOCRATS  
ALIKE GRASPED AT STRAWS.

Mr. "Peg" Hamilton Lost His Nerve  
Early in the Evening—A Mem-  
orable Night.

It is understood about city newspaper offices that two great events attract the American public sufficiently to cause it to stand in front of a stereopticon bulletin board for two hours in any kind of weather. One of these events is a prize fight and the other is a presidential election.

On the night of the election, the streets were filled with people and the crowd packed in the street and on the sidewalks.

The Journal displayed the usual stereopticon bulletins in front of its office and the crowd packed in the street and on the sidewalks.

Washington street between Meridian and Illinois was a mass of people.

Eastern side were given the usual 3-cent advance, which put Lima to \$1.83 and Pennsylvania \$1.88.

The highest price reached by Indiana oil during 1902 was on Dec. 31, when it made a 3-cent advance.

During the year there was a steady advance from Jan. 1, when it was 80 cents, until the last day of the year.

The market as quoted in the office of the Standard Oil Company here to-day is as follows: Tiona, \$1.83; Pennsylvania, \$1.88; New Castle, \$1.85; Corning, \$1.43; North Lima, \$1.25; Schuylkill, \$1.25; Indiana, \$1.21; White House, \$1.38; Somerset, \$1.21; Ragland, 66c.

ASK FOR INSTRUCTIONS

ATTORNEYS IN THE TILMAN CASE  
MAKE THEIR REQUESTS.

Tell the Judge What They Want Said  
to the Jury—Arguments Not  
Yet Concluded.

LIXINGTON, S. C., Oct. 13.—The jury in the trial of James H. Tillman listened to arguments by counsel throughout the day.

An unusually large crowd was present and by the time adjournment was taken to-night the room was packed, the audience including many women.

Contrary to the programme agreed upon the arguments to the jury were not concluded to-day.

Colonel Croft, having one hour yet remaining, and General Bellinger nearly two hours. Thus the case will not go to the jury before the middle of the day, as it will take some time for the court to deliver the charge after the attorneys have finished.

Requests by counsel for instructions to the jury were read and argued to-day. The State desires the jury be instructed that the doctrine of self-defense requires that if there is any reasonable safe way of escape a man must use it and not take a life; that in order to establish a plea of self-defense the jury must be satisfied by a preponderance of evidence that the person making the plea was not at fault in bringing on the difficulty, and that he believed he was in danger of serious bodily harm, and further that a person of ordinary prudence would have believed the same.

The State further asks the jury to be instructed that previous threats do not justify the taking of life unless there is a demonstration at the time of the homicide.

The defense asks that the jury be instructed that the question to be determined is whether or not any person of ordinary reason would believe that the defendant did; also, that a man may act upon circumstances as they appear to him, taken together and that he believed they may have been communicated to him, together with the actions of the person making them when met.

He Fears Russia Will Gobble the Celestial Empire and Swallow India  
If the Czar Says So.

PHILADELPHIA, Oct. 13.—The great missionary convention of the Methodist Episcopal church, at which delegates are present from all of New England and the middle Atlantic States, was formally opened to-night at the Academy of Music in this city in the presence of an audience that taxed the capacity of the building.

Distinguished clergy and laymen of the church from all parts of the country are present and will take an active part in the convention, which will remain in session till Thursday.

The programme of the first session held to-night included addresses by Bishop Foss, the presiding officer, and Bishop Charles H. Fowler, of Buffalo. The latter's address was the striking feature of the evening.

He took for his subject, "The Place of Missions in the World's Movement." He said the trend of the age was toward a more universal civilization, with the church from all parts of the country are present and will take an active part in the convention, which will remain in session till Thursday.

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